



THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT TRANSMITTAL FORM

Applicant(s): Weiershausen et al.

Serial No.: 10/564,461

For: PROCESSES AND DEVICES FOR THE DETERMINATION OF A PMD-INDUCED OUTAGE PROBABILITY OF AN OPTICAL TRANSMISSION SYSTEM

Filed: September 11, 2006

Art Unit: 2613

Examiner: Not Yet Assigned

Confirmation No.: 8972

Customer No.: 27,623

Attorney Docket No.: 2133.096USU

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

We are enclosing:

1. Information Disclosure Statement with copies of references;
2. PTO Form 1449;
3. Transmittal letter in duplicate; and
4. Postcard.

Please charge any additional fees or credit any such fees, if necessary to Deposit Account No. 01-0467 in the name of Ohlandt, Greeley, Ruggiero & Perle.

Respectfully submitted,

Date: October 3, 2008

Charles N. J. Ruggiero  
Reg. No. 28,468  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10<sup>th</sup> Floor  
Stamford, Connecticut 06901-2682  
(203) 327-4500

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON October 3, 2008.

Ruth J. Olivo  
NAME

Ruth J. Olivo  
SIGNATURE

October 3, 2008  
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

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Commissioner for Patents  
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Alexandria, VA 22313-1450

Dear Sir:

In accordance with applicants' duty of disclosure under 37 C.F.R. §1.56, we are enclosing form PTO-1449 listing information that may be material to the patentability of this application.

37 C.F.R. 1.98 does not require a copy of U.S. patents or published U.S. patent applications to be included with an information disclosure statement. Accordingly, Applicant is not including a copy of any U.S. patent or published U.S. patent application.

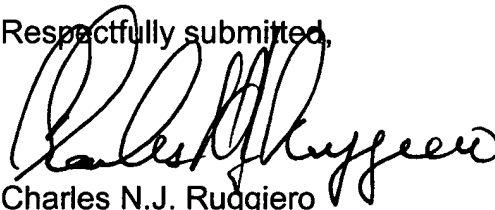
We are also enclosing copies of the non-US references listed on the attached PTO-1449. Copies of available English abstracts of the aforementioned patents, patent applications and articles are enclosed herewith.

It should be understood that attention has been called to the citations that have been deemed to be pertinent to the claimed present invention. In concluding what was pertinent, the criteria employed was considered most appropriate in light of the invention shown in the present application. However, the Examiner or others may deem some other criteria to be just as appropriate or more appropriate. Therefore, the Examiner is respectfully urged to review the listed citations and to make the usual careful independent search for other prior art that may be pertinent.

Since this Information Disclosure Statement is being filed prior to the issuance of the first Office Action based on the merits, no petition or fee is required.

Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,



Date: October 3, 2008

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